

BROOKINGS COUNTY COMMISSION MEETING

Tuesday, February 28, 2006

The Brookings County Board of County Commissioners met in regular session on Tuesday, February 28, 2006, with the following members present: Dennis Falken, Mary Negstad, Donald Larson, Deanna Santema, and Emil Klavetter. Also present: Stephanie Vogel, Wm. Mark Kratochvil, Kelly Bakken, Ted Eggebraaten, Robert Hill, Lionel Torgrude, Jim Hagedorn, Kristin Olsen, John Molengraaf, Donna Ramsay, Tom Bezdichek, Alan Glover, Brian Eclov and John Kubal.

CALL TO ORDER

Chairperson Falken called the meeting to order.

CONSENT AGENDA

Chairperson Falken declared the Consent Agenda approved with no objection from the board. The Consent Agenda consisted of the agenda for the February 28, 2006 Commission Meeting, and the minutes from the February 14, 2006 Commission Meeting.

Welfare Matters: Case # 06-020 for utilities was approved; Case # 06-023R for Resolution # 06-11 was approved; Case # 06-006 for hospital was denied; Case # 06-008 for hospital was denied; Case # 06-022 for rent was approved.

Travel/Education: Ted Eggebraaten to go to Deadwood, SD on March 14-16, 2006 to attend the Highway Superintendents Short Course.

ROUTINE BUSINESS

Motion by Negstad, seconded by Klavetter, to approve the following claims. Roll Call Vote: Larson "Aye," Negstad "Aye," Santema "Aye," Klavetter "Aye," Falken "Aye." Motion Carried. A&B BUSINESS, MAINTENANCE & REPAIRS \$56.04; AMERICAN STAMP & MARKING, SUPPLIES & MATERIALS \$79.85; AT&T, UTILITIES \$67.26; AVERA, PROFESSIONAL SERVICES \$109.00; AVERA BROOKINGS MEDICAL, PROFESSIONAL SERVICE \$79.80; BLACKBURN & STEVENS LLC, OTHERS (CT APP. ATTY.) \$246.20; BP OF BROOKINGS INC., GASOLINE/VEHICLE MAINT. \$448.16; BROADACRE INC., RENT \$250.00; BRKGS AREA CHAMBER, PUBLIC RELATIONS \$325.00; BRKGS. CITY UTILITIES, TELEPHONE \$242.84; BROOKINGS UTILITIES, UTILITIES \$55.60; BRKGS CO TREASURER, SUPPLIES & MATERIALS \$1753.28; BRKGS DAILY REGISTER, SUPPLIES & MATERIALS \$264.42; BRKGS. HOSPITAL, BLOOD TESTS \$36.80; BROOKINGS HOSPITAL, PROFESSIONAL SERV. & FEES \$275.10; BUHL'S CLEANERS, REPAIRS AND MAINTENANCE \$64.95; CARQUEST AUTO PARTS STORE, SUPPLIES & MATERIALS \$488.39; CELLULAR ONE, TELEPHONE \$1012.11; CENTRAL BUSINESS SUPPLY, REPAIRS AND MAINTENANCE \$810.39; CLITES ELECTRIC INC, COURTHOUSE BLDG. \$2518.00; COOK'S RECYCLING, UTILITIES \$438.78; CUSTOM MICRO, LETPP/SHERIFF

\$65500.00; CY & MIKE'S HIWAY SERVICE,REPAIRS & MAINT. \$168.05; DEN-WIL INC,REIMBURSEMENT TO DSS(OUTS \$226.35; EDUCATIONAL INNOV INC,4-H EVENTS & LIT. \$60.90; EVERIST, L.G. INC,WHEEL TAX/CONTRACT MAINT. \$23897.28; FIRST BANK & TRUST,BLOCK GRANT \$1823.58; HAROLD'S PRINTING,PUBLISHING \$156.60; HARTSEL, PATRICIA J.,TRANSCRIPTS (NON) \$381.80; HELDT, GARY,TRAVEL & CONFERENCE \$709.87; HOGAN, TIM,ADULT DEFENSE \$855.09; HYDE, JUSTIN D.,ADULT DEFENSE \$695.60; HY-VEE FOOD STORE,PRISONER RATION \$9830.28; HY-VEE PHARMACY,MEDICINE/RX \$572.24; IBM CORPORATION,DATA PROCESSING/SOFTWARE \$78.00; JENSEN, RANDY J.,TRAVEL & CONFERENCE \$8.96; JOHNSON, JEROME,TRANSCRIPTS (NON) \$98.80; KARL'S TV,SUPPLIES & MATERIALS \$79.00; KAUFFMAN, DAVID W. PHD,M.I. LIENABLE \$675.00; KIDWILER, MARY,TRAVEL & CONFERENCE \$8.00; KLEINJAN, DARREL,TRAVEL & CONFERENCE \$12.16; KNUTSON, DUANE,TRAVEL & CONFERENCE \$2.88; LEWIS & CLARK MENTAL,PROFESSIONAL SERV. & FEES \$130.00; LEXISNEXIS,PROFESSIONAL SERV. & FEES \$110.00; LINWELD,SUPPLIES & MATERIALS \$177.80; LOCATORS & SUPPLIES,SUPPLIES & MATERIALS \$646.81; LUKONEN, DOUGLAS D,SUPPLIES & MATERIALS \$20.20; MCCANN, M.E.,ADULT DEFENSE \$6345.58; MCCARTY, DONALD,ADULT DEFENSE \$878.95; MCKEEVER'S VENDING,SUPPLIES & MATERIALS \$277.70; MCI,TELEPHONE \$113.49; M&T FIRE & SAFETY INC.,REPAIRS AND MAINTENANCE \$10.00; MANATRON INC.,PROFESSIONAL SERV. & FEES \$400.00; MASTERCARD,TRAVEL & CONFERENCE \$435.60; MEDICAL X-RAY CENTER,MEDICAL SERVICE/LIENABLE \$30.00; MILLS PROPERTY MANAGEMENT,JANITORIAL SERVICE \$4220.63; MINNEHAHA COUNTY AUDITOR,PROFESSIONAL SERV. & FEES \$112.50; MINNEHAHA CO. TREAS.,MV NOTICES/TAX NOTICES \$77.17; MULTI MARK-IT,PUBLISHING (LEGALS) \$70.00; NACHTIGAL, GLEN,TRAVEL & CONFERENCE \$105.00; NAT'L SHERIFF'S ASSOC,PROFESSIONAL SERV. & FEES \$100.00; NELSON, DARREL E.,TRAVEL & CONFERENCE \$6.08; NELSON, NANCY J.,ADULT DEFENSE \$560.88; NORTEK COMPUTERS INC,SUPPLIES & MATERIALS \$164.96; NORTHWESTERN PUBLIC SERV,UTILITIES/COURTHOUSE \$4366.38; O'BRIEN, SEAN M.,OTHERS (CT APP. ATTY.) \$523.10; OFFICE SYSTEMS INC,REPAIRS AND MAINTENANCE \$135.61; PEART & ASSOCIATES, INC.,SUPPLIES & MATERIALS \$417.00; PENNINGTON COUNTY JAIL,TRANSPORT PRISONER \$91.95; PHEASANT COUNTRY EXPRESS,SUPPLIES & MATERIALS \$1244.10; PLASTOW & ASSOCIATES INC,DATE PROCESSING/SOFTWARE \$754.20; QWEST,DATABASE SERVICE-US WEST \$300.21; RELIANCE TELEPHONE,INMATE/TELEPHONE \$1000.00; RIBSTEIN, RICK,ADULT DEFENSE \$730.11; ROCHEL, ROBERT,TRAVEL & CONFERENCE \$10.56; SAATHOFF, LAYNE,TRAVEL & CONFERENCE \$14.72; S.D. FEDERAL PROP. AGENCY,SUPPLIES & MATERIALS \$26.00; SDSU AG-BIO COMMUNICATION,SUPPLIES & MATERIALS \$35.00; SDSU 4-H FOUNDATION,4-H EVENTS & LIT. \$40.00; SECRETARY OF STATE,PROFESSIONAL SERV. & FEES \$25.00; SIOUX FALLS TWO WAY RADIO,SUPPLIES & MATERIALS \$674.08; SIOUX VALLEY ENERGY,UTILITIES \$66.00; SMITH, JODY O.,ABUSE & NEG.CHILD DEFENSE \$53.20; SONSHINE INN, RENT \$400.00; SPECIAL HANDLING,PROFESSIONAL SERV. & FEES \$315.00; STEFFENSEN, STACY,TRAVEL & CONFERENCE \$25.60; STRUWE, TODD,TRAVEL \$23.00; SUCCESSFUL FARMING,SUPPLIES & MATERIALS \$16.91; SUPER 8 MOTEL,TRAVEL & CONFERENCE \$50.00; SWIFTEL CENTER,MULTI-PLEX UPKEEP \$2500.00; TOWN & COUNTRY SHOPPER,PUBLISHING \$441.00; ULTRAMAX,SUPPLIES & MATERIALS \$288.00; VANDENBERG LAW FIRM,JUVENILE DEFENSE \$190.00; VERIZON WIRELESS,TELEPHONE \$200.75; VIKING OFFICE PRODUCTS,SUPPLIES &

Be it noted, the salaries and personnel changes for the month of February 2006 are as follows: Longevity Increase: Gary Norgaard \$35.00; Wm. Mark Kratochvil \$155.00; and Steve Tietjen \$95.00. Promotion: Charles Umberger from Correctional Officer to Deputy Sheriff @ \$15.30. New Hire: Part-time Correctional Officer, Jeremy Adler @ \$12.31.

Commission \$15,183.40; Elections \$391.48; Auditor's Office \$8,348.02; Treasurer's Office \$9,726.28; States Attorney's Office \$19,765.49; Custodial Buildings \$1,534.26; Director of Equalization \$16,980.06; Register of Deeds \$7,784.63; Veteran's Service Officer \$3,405.17; Sheriff's Office \$33,353.76; County Jail \$30,392.42; Contract Law Enforcement \$6,388.61; Emergency Management \$5,779.80; Drainage \$1,266.46; Highway \$50,079.32; Welfare \$2,968.07; Community Health Nurses \$2,196.00; Women, Infants, & Children \$2,022.20; County Extension \$4,205.00; Weed Control \$3,685.99; Planning & Zoning \$4,149.39.

Be it noted, Chairperson Falken signed claims for the following—AFLAC, insurance \$2,874.56; AFLAC Flex-One \$85.00; Office of Child Support Enforcement, child support \$555.00; Delta Dental, insurance \$2,473.56; Flex One, unreimbursed medical \$1,477.00; Local Teamsters, union dues \$911.00; SDRS, retirement \$27,782.05; SDRS Supplemental, retirement \$3,921.66; EFTPS \$51,851.52; Wellmark Blue Cross, insurance \$42,501.96; Fort Dearborn Life, life insurance \$566.50; Terry Wiecezorek Trust Account, Sheriff Trust (execution) \$21,746.76.

Motion by Santema, seconded by Negstad, to approve the following Automatic Supplement for unanticipated expenses incurred and reimbursement made to Brookings County. Department: Brookings County Sheriff; Amount: \$3,093.09; Reason: Reimbursement from Insurance for repair work to the 2006 Chevrolet Tahoe; Receipt # 94819; Line #10100X4250211. Roll Call Vote: Negstad "Aye," Santema "Aye," Klavetter "Aye," Larson "Aye," Falken "Aye." Motion Carried.

REGULAR BUSINESS

Highway Superintendent, Ted Eggebraaten met with the board to discuss Highway Matters.

Motion by Klavetter, seconded by Larson, to approve and authorize Chairperson Falken to sign Resolution 06-09; A Resolution for the Bridge Reinspection Program for use with SDDOT Retainer Contracts. Roll Call Vote: Santema "Aye," Klavetter "Aye," Larson "Aye," Negstad "Aye," Falken "Aye." Motion Carried.

RESOLUTION #06-09

WHEREAS, Title 23, Section 151, *United States Code* and Title 23, Part 650, *Code of Federal Regulations*, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, Brookings County is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

The County requests SDDOT to hire Banner Associates, Inc. (Consulting Engineers) for the inspection work. SDDOT will secure Federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County for 20% of the cost. The County will be responsible for the required 20% matching funds.

There are a total of 140 bridges in Brookings County that require inspection.

Dated this 28th day of February, 2006, at Brookings, South Dakota.

Board of County Commissioners of Brookings County.

Dennis Falken, Chairperson
Brookings County Commission

ATTEST:

Janet Willmott, Brookings County Auditor

FIRST READING

As scheduled, a Public Hearing for the First Reading was held at 8:40am for Ordinance 2006-01 Establishing Speed Limits upon a Portion of County Road 23. Chairperson Falken read proposed Ordinance 2006-01. The second reading and possible adoption is scheduled for Tuesday, March 7th at 8:40am.

REGULAR BUSINESS

Motion by Negstad, seconded by Santema, to approve and authorize Chairperson Falken to sign the Agreement to Provide for the Striping of County Roads within Brookings County and Provide for their Continuing Maintenance; the Agreement is between the State of South Dakota, the Department of Transportation, the Transportation Commission, and Brookings County. Roll Call Vote: Klavetter "Aye," Larson "Aye," Negstad "Aye," Santema "Aye," Falken "Aye." Motion Carried.

Motion by Klavetter, seconded by Larson, to approve and authorize Chairperson Falken to sign Resolution 06-10; A Resolution Authorizing the Purchase of 4-Wheel Drive Tractor based upon the Price and Terms Established through the County of Lincoln, South Dakota Bid Process. Roll Call Vote: Larson "Aye," Negstad "Aye," Santema "Aye," Klavetter "Aye," Falken "Aye." Motion Carried.

RESOLUTION NO. 06-10

A RESOLUTION AUTHORIZING THE PURCHASE OF 4-WHEEL DRIVE TRACTOR BASED UPON THE PRICE AND TERMS ESTABLISHED THROUGH THE COUNTY OF LINCOLN, SOUTH DAKOTA, BID PROCESS

WHEREAS, the Brookings County Highway Department will need 4-Wheel Drive Tractor; and

WHEREAS, the COUNTY OF LINCOLN, SOUTH DAKOTA, has recently gone through a competitive bidding process for a 4-Wheel Drive Tractor, such bidding process culminating in the bids being opened on November 7, 2005; and approved on November 8, 2005; and

WHEREAS, EUGENE BECKMAN & SONS INC. was the lowest responsible bidder under such COUNTY OF LINCOLN, SOUTH DAKOTA, bid process and EUGENE BECKMAN & SONS INC. is willing to sell a 2006 JD 7320 Tractor to BROOKINGS COUNTY under the same terms and options as available to the COUNTY OF LINCOLN, a copy of such bid specifications and bid having been filed at the Brookings County Auditor's Office; and

WHEREAS, pursuant to SDCL 5-18-18, BROOKINGS COUNTY is authorized to purchase equipment from the lowest responsible bidder of an item competitively bid by another local government entity at the bid price or less.

NOW THEREFORE, BE IT RESOLVED that the Brookings County Highway Department is hereby authorized and directed to purchase one 2006 JD 7320 Tractor from EUGENE BECKMAN & SONS, INC. based upon the bid price, or less, as established through the competitive bidding process of the COUNTY OF LINCOLN, with the unit and specifications as follows:

One 2006 JD 7320 Tractor

That such machine shall be delivered on or before May 15, 2006.

That the total purchase price of said JD 7320 Tractor, as per the Lincoln County bid, shall be \$59,795.00.

Adopted this 28th day of February, 2006.

Dennis Falken, Chairperson
Brookings County Board of County
Commissioners

ATTEST:

Janet K. Willmott
Brookings County Auditor

Motion by Negstad, seconded by Klavetter, to approve and authorize Chairperson Falken to sign the WIC Program County Contract Amendment; In conformity with Section III.A. of the original contract between Brookings County and the South Dakota Department of Health, WIC Program, Contract #06SC090531. Roll Call Vote: Negstad "Aye," Santema "Aye," Klavetter "Aye," Larson "Aye," Falken "Aye." Motion Carried.

Donna Ramsay met with the board to discuss the Planning & Zoning Board vacancy.

Veterans Welfare Director, Lionel Torgrude and Attorney, Alan Glover met with the board to discuss a Petition for Compromise & Settlement of a County Aid Lien and Resolution # 06-11. Motion by Larson, seconded by Santema, to approve and authorize the board to sign Resolution # 06-11. Roll Call Vote: Santema "Aye," Klavetter "Aye," Larson "Aye," Negstad "Aye," Falken "Aye." Motion Carried.

RESOLUTION #06-11

WHEREAS, a County Aid Lien in the amount of \$1,310.00 purports to exist in favor of Brookings county and against Case # 06-023RR as lienee, and

WHEREAS, said lienee has filed an application with the County Auditor stating such facts as provided by Law.

NOW, THEREFORE, BE IT RESOLVED that after due consideration of the circumstances the Board of County Commissioners finds it advisable and proper to authorized the Chairman of the County Board and County Auditor to execute the following:

Release the lien in only in so far as the real property with no payment. Legal description of real property: The S 25' of Lot 13 in Block 6 of the Plat of Blocks 6 & 7 in the Town, now City of Volga, Brookings County, South Dakota.

Dated at Brookings, South Dakota, this 28th of February 2006.

APPROVED:

BOARD OF COUNTY COMMISSIONERS

Dennis Falken

Deanna Santema

Emil Klavetter

Mary Negstad

Donald Larson

ATTEST:

Janet K. Willmott
County Auditors Office
Brookings County, South Dakota

EXECUTIVE SESSION

Motion by Negstad, seconded by Klavetter, to enter into executive session at 9:07am. Roll Call Vote: Klavetter "Aye," Larson "Aye," Negstad "Aye," Santema "Aye," Falken "Aye." Motion Carried. Chairperson Falken declared executive session over at 9:16am. Reason - Personnel with Board Appointments. No action at this time.

REGULAR BUSINESS

Motion by Klavetter, seconded by Negstad, to appoint Jeffrey Robbins to the Planning and Zoning Board; the appointment is from January 2006 - December 2009, serving District 3. Roll Call Vote: Larson "Aye," Negstad "Aye," Santema "Aye," Klavetter "Aye," Falken "Aye." Motion Carried.

Motion by Larson, seconded by Santema, to appoint Shane Andersen to the County Weed and Pest Board; the appointment is from March 2006 - March 2009. Roll Call Vote: Negstad "Aye," Santema "Aye," Klavetter "Aye," Larson "Aye," Falken "Aye." Motion Carried.

Commission Assistant/Human Resource Director, Stephanie Vogel met with the board to discuss and present the bids for Phase Three of the Generator Project. Motion by Santema, seconded by Negstad, to approve and award to the low bidder, Bob's Electric, of Madison, SD with the bid of \$45,770.00. Be it noted, the bids that were received are as follows: Clites Electric of Brookings, SD \$59,700.00; Action Electric, of Sioux Falls, SD \$66,317.00; Engelstad Electric of Watertown, SD \$64,500.00; Bob's Electric of Madison, SD \$45,770.00. Roll Call Vote: Santema "Aye," Klavetter "Aye," Larson "Aye," Negstad "Aye," Falken "Aye." Motion Carried.

Commission Assistant/Human Resource Director, Stephanie Vogel met with the board to discuss Personnel Matters, the General Fund Surplus Analysis, Director of Equalization Dates for 2006, the Prescription Drug Card Program, the Prudential Spirit of Community Awards, 1921 Building Rental Space, Office Equipment, 2006 Contingency Items, Zoning Agenda, SDPUC Commission Meeting, SDAAO Conference Invitation, the Department of Labor, Amendment D, the Legislative Update, and Correspondence.

Be it noted, Chairperson Falken signed the Form 8 Documentation of Environmental Exemption for the Brookings Area Habitat for Humanity.

Be it noted, the Board approved the following Personnel Action Notices: Promotions: Matt Archer and Chris Lilla from Appraiser I to Appraiser II @ \$13.24 (Passed Certified Appraiser/Assessor Test) New Hires: Second Deputy Treasurer, Nicole Tolk @ \$10.66 and States Attorney Office Assistant, Cara Caylor @ \$10.66.

GIS Coordinator, Jim Hagedorn met with the board to discuss the County Wide Aerial Photography.

COMMISSIONER'S OPEN DISCUSSION

Commissioner Klavetter reported on BEDC Meeting, the E911 Council Meeting, the BEDC Site Committee Meeting, and the First District Meeting.

Commissioner Santema reported on the BATA Meeting, the Event Center Meeting, and the Swiftel Center Meeting.

Commissioner Negstad updated the board on the Domestic Abuse Shelter.

Commissioner Larson reported NACo Prescription Drug Card Program, the First District Meeting, the Swiftel Center Meeting, the Agriculture and Rural Affairs Meeting, and discussed the Rail Authority.

Commissioner Falken reported on E911 Meeting.

Commission Assistant/Human Resource Director, Stephanie Vogel updated the board on the upcoming Sioux Valley District Meeting.

ADJOURNMENT

There being no further business, Chairperson Falken declared the meeting adjourned until Tuesday, March 7, 2006

It is the policy of Brookings County, South Dakota, not to discriminate against the Handicapped in Employment or the Provision of Service. The County of Brookings is responsive to requests for communication aids and the need to provide appropriate access, and will provide alternative formats and accessible locations consistent with the Americans with Disabilities Act.

Kelly Bakken
Deputy Auditor
Brookings County Auditor's Office